UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/844,350	04/27/2001	Edward Aime Harycki	4013-1000	2471

7590 09/03/2004	EXAMINER
Lee, Mann, Smith, McWilliams, Sweeney & Ohlson	BACKER, FIRMIN

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ART UNIT	PAPER NUMBER
3621	

DATE MAILED: 09/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/844,350	Applicant(s) HARYCKI ET AL.
	Examiner Firmin Backer	Art Unit 3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 August 2004* .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4)☐ Interview Summary (PTO-413) Paper No(s). _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: .

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on August 3rd, 2004 has been entered.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Sloan et al (U.S

PG Pub No. 2002/0111890).

4.   As per claims 1, 8 and 18, Sloan et al teach a method of offering a personalised financial

product comprising obtaining data from a user *(see paragraphs 0006, 0047, 0052)* determining

profitability characteristics of the user in dependence on the obtained data *(see paragraphs 0064)*

offering a financial product to the user, the financial product having a plurality of inter-related

cost-benefit parameters, the inter-relationship of the parameters being determined in dependence

on the profitability characteristics of the user, wherein the parameter settings are changeable by the user, a change to one parameter setting having a corresponding effect on one or more of the other parameter settings determined by the inter-relationship (*see paragraphs 0065, 0068*) receiving acceptance of the financial product from the user (*see paragraph 0068*) and, creating a financial product for the user, the product having characteristics determined in dependence on the parameter settings accepted by the user (*see paragraphs 0076, 0077, 0078*) .

5.   As per claims 2, Sloan et al teach a method further comprising accepting updated parameter settings from the user after creation of the financial product and updating the financial product for the user in dependence on the updated parameter settings (*see paragraphs 0062-0064*).

6.   As per claims 3, Sloan et al teach a method in which the data obtained from the user in step (a) include selected ones of: employment data, financial data, personal data, home address, and family data (*see paragraphs 0066, 0075*).

7.   As per claims 4, Sloan et al teach a method in which the profitability characteristics determined in include selected ones of: credit check for the user's name, fraud check for the user's home address, background check on the user, projected likelihood of the user defrauding or defaulting a payment against the provider, projected likelihood of the user transferring an existing balance, projected monthly amount the user will spend, the projected likelihood the user's account will go dormant, projected likelihood the user will move to another provider

projected usage, projected usage type and estimated timing of a user's lifecycle events (*see paragraphs 0066, 0075*).

8.   As per claims 5, Sloan et al teach a method in which the financial product is a selected one of: credit card, loan, mortgage, investment product or insurance product (*see paragraph 0058*).

9.   As per claims 6, Sloan et al teach a method in which the inter-relationship of parameters is selected from one of a set of inter-relationship parameters, each set being pre-calculated for users providing data fitting a predetermined range (*see paragraphs 0062-0064*) .

10.   As per claims 7, Sloan et al teach a method in which the inter-relationship of parameters is updated for an existing user based on actual data from the user's usage of the financial product (*see paragraph 0058*).

11.   As per claims 9 and 16, Sloan et al teach a computer implemented transaction system for the offer and management of financial products, a server is arranged to offer customisable financial products to users, to determine profitability characteristics of the user in dependence on obtained user details and generate a user interface having a plurality of inter-related cost-benefit parameters changeable by the user, the inter-relationship of the parameters being determined in dependence on the profitability characteristics of the user, wherein the parameter settings are changeable by the user, a change to one parameter setting having a corresponding effect on one

or more of the other parameter settings determined by the inter-relationship, the server being

arranged to receive an acceptance of the financial product from the user, and initiate the creation

of a financial product for the user, the product having characteristics determined in dependence

on the parameter settings (*see paragraphs 0064*).

12.   As per claims 10, Sloan et al teach a computer implemented transaction system in which

the transaction system comprises a World Wide Web site, the server being arranged to host the

Web site (*see paragraphs 0037-0041*).

13.   As per claims 11, Sloan et al teach a computer implemented transaction system in which

the server is connected to a database of parameter permutations, the server being arranged to

access the database and determine allowable parameter permutations according to the user's

details, the allowable parameter permutations being used to generate the user interface (*see

paragraphs 0042, 0069, 0089*).

14.   As per claims 12, Sloan et al teach a computer implemented transaction system in which

the database stores parameter permutations as coefficients to a predetermined equation, the

equation defining the inter-relationship between parameters (*see paragraph 0089, 0123*).

15.   As per claims 13, Sloan et al teach a computer implemented transaction system in which

the database stores parameter permutations for each of a predetermined set of user details, the

server being configured to select the closest predetermined set corresponding to the user's details (*see paragraphs 0065, 0068*).

16.   As per claims 14, Sloan et al teach a computer implemented transaction system further comprising a user interface system downloadable onto a user terminal, the user interface system being operative to accept parameter permutations from the server, to generate and display the user interface in dependence on the parameter permutations, to accept user inputs changing the parameter settings and to communicate the selected parameter settings to the server (*see paragraphs 0042, 0069, 0089*).

17.   As per claims 15, Sloan et al teach a computer implemented transaction system in which the server is arranged to communicate with databases and data services to obtain data for calculating the profitability characteristics of the user, the databases and data services including: credit clearance, background checks, demographic data, business logic, household background databases and probability based systems (*see paragraphs 0066, 0075*).

18.   As per claims 17, Sloan et al teach a in which the data structure defines a plurality of inter-relationships, each inter-relationship having been pre-calculated for a range of profitability characteristics of a prospective user (*see paragraphs 0064*).

Response to Arguments

18.   Applicant's arguments filed February 14th, 2004 have been fully considered but they are

not persuasive.

      a.   Applicant amended the claim by introducing the concept of "providing a user

interface to display the parameter and providing control for changing the setting of

parameters and user interface further displaying the corresponding effect on the

parameter setting." Applicant argues that the prior art (Sloan et al), fails to teach or

suggest an inventive concept of displaying to the user adjusted parameter setting or

values and the user does not have opportunity to adjust one parameter and see the effect

on another parameter. Examiner respectfully disagrees with applicant's characterization

of the prior art. Examiner wish to advise the Applicant to further inspect Sloan et al's

disclosure in order to grasp a better understanding or Sloan et al's inventive concept.

Sloan et al's teach a financial model that include external data related to the user's

finances. The system allows the user to assume an executive decision-making role in

making their financial future. The executive activity process enhances the user's ability to

manage his or her financial life from an executive perspective. For example, through

interaction with the system, the user learns, plans, or decides the respective elements of

their financial plan. The model projects the user's cash flow in the future, the user may

use the modeling tool (Lifepath 164) to change input variables such as savings, salary and

expenses, and observe the long term effect of the changes on his financial goals. The

system may estimate the probable customer profitability based on the user's financial plan

given the user's life intentions and other financial information. Furthermore If the user's service level agreement does not match the probable profitability the user can renegotiate the service level agreement negotiation or revisit the model to *modify the model parameters such as bonds, reverse mortgages, option contracts and a like available to the user and then prompt the 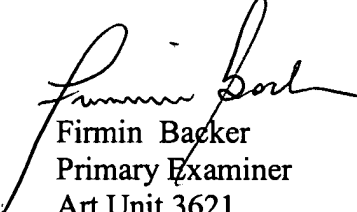system to re-estimate the probable user profitability.* Furthermore, the life path model 164 captures the user's life intentions expressed as revenue intentions and expense intentions. The user is provided with an individual button for each of the income information categories. For example, the user can input their income information such as salary, investment, pension, alimony, or disability, or other financial information. Similarly, the user can input their expense intentions which are shown by the category of interactive buttons 246. For example, the user can input expense information such as housing, transportation, education, health care, or other expense information as shown in FIG. 8. Neither the income category nor the expense category is limited to the displayed icons. The "other" button under the revenue category enables the user to input user specific sources of revenue such as inheritance. Same flexibility applies to the expense category allowing the user to input types of expenses not categorized under the standard expense icons (*see paragraphs 0062, 0064, 0066 and 0075*).

Conclusion

Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Firmin Backer whose telephone number is (703) 305-0624. The
examiner can normally be reached on Mon-Thu 9:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, James Trammell can be reached on (703) 305-9768. The fax phone number for the
organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent
Application Information Retrieval (PAIR) system. Status information for published applications
may be obtained from either Private PAIR or Public PAIR. Status information for unpublished
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system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR
system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Firmin Backer
Primary Examiner
Art Unit 3621

August 31, 2004